

FILED Gregory Donnelly
CLERKS OF PETITIONER
Billerica House of Correction
269 Treble Cove Road
2006 AUG 24 P 2:04 PM Billerica, MA 01862

U.S. DISTRICT COURT
DISTRICT OF MASSACHUSETTS August 16, 2006

Anthony Anastas, Clerk
United States District Court
for Massachusetts
U.S. Courthouse, Suite 2300
One Courthouse Way
Boston, MA 02210

Re: Donnelly v. Brady
Civil Action No. 04-12706-RWZ

Mr. Anastas:

I write to request your assistance in ascertaining the current status of my "motion for stay of sentence and bail pending resolution of the instant habeas corpus proceeding", filed in this action on December 28, 2004. (Copy of docket entry sheet is enclosed, marked as Attachment "1").

A review of my initial cover letter in this matter reveals that my motion for bail was filed simultaneously with my application for a writ of habeas corpus. (Copy of said cover letter is enclosed, marked as Attachment "2"). Further, page #1 of the docket sheets indicate receipt of my motion for bail -- "Cause: 28:2254 Ptn for Writ of H/C - Stay of Execution". (emphasis added).

To date, the respondent has failed to respond to, or otherwise oppose, my release on bail. Moreover, in light of the fact that I am soon to be released from incarceration to a from-and-after term of probation, and this case has languished on the docket since October 7, 2005, it has become imperative that your court immediately entertain my motion for bail/stay of execution of sentence. I am certain you are aware that "justice delayed, is justice denied."

Please advise me of your findings regarding this matter at your earliest possible convenience.

Thank you.

Very truly yours,


Gregory Donnelly, pro se

Encl's

cc: R.E. Ravitz, AAG
file

United States District Court
District of Massachusetts (Boston)
CIVIL DOCKET FOR CASE #: 1:04-cv-12706-RWZ

FILED
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2006 AUG 24 P 2:04

Donnelly v. Brady
Assigned to: Judge Rya W. Zobel
Cause: 28:2254 Ptn for Writ of H/C - Stay of Execution

Date Filed: 12/28/2004
Jury Demand: None
Nature of Suit: 530 Habeas Corpus
(General)
Jurisdiction: Federal Question

Petitioner

Gregory Donnelly

represented by **Gregory Donnelly**
Billerica House of Correction
269 Treble Cove Road
Billerica, MA 01862
PRO SE

V.

Respondent

Bernard Brady
*Acting Superintendent at Old Colony
Correctional Center*

represented by **Randall E. Ravitz**
Office of the Attorney General
One Ashburton Place
Boston, MA 02108
617-727-2200 ext.2852
Fax: 617-727-5755
Email: randall.ravitz@ago.state.ma.us
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
12/28/2004	● <u>1</u>	PETITION for writ of habeas corpus pursuant to 28:2254 § 5, receipt number 61030, filed by Gregory Donnelly. (Attachments: # <u>1</u> Part 1# <u>2</u> Part 2# <u>3</u> Part 3# <u>4</u> Civil Cover Sheet # <u>5</u>)(Johnson, Jay) (Entered: 12/29/2004)
12/28/2004	●	If the trial Judge issues an Order of Reference of any matter in this case to a Magistrate Judge, the matter will be transmitted to Magistrate Judge Collings. (Johnson, Jay) (Entered: 12/29/2004)
01/07/2005	●	Judge Rya W. Zobel : endorsed ORDER entered. ELECTRONIC ENDORSEMENT re <u>1</u> Petition for writ of habeas corpus (28:2254) filed by Gregory Donnelly. In accordance with the Rules governing ?2254 proceedings, respondent shall file any responsive pleading by 2/3/05.

ATTACHMENT "1"

		(Urso, Lisa) (Entered: 01/07/2005)
01/12/2005	● <u>2</u>	NOTICE of Change of Address by Gregory Donnelly (Johnson, Jay) (Entered: 01/13/2005)
02/02/2005	● <u>3</u>	NOTICE of Appearance by Randall E. Ravitz on behalf of Bernard Brady (Johnson, Jay) (Entered: 02/03/2005)
02/02/2005	● <u>4</u>	MOTION for Extension of Time to 3/4/05 to File Answer re <u>1</u> Petition for writ of habeas corpus (28:2254) by Bernard Brady.(Johnson, Jay) (Entered: 02/03/2005)
02/09/2005	● <u>5</u>	RESPONSE to Motion re <u>4</u> MOTION for Extension of Time to 3/4/05 to File Answer re <u>1</u> Petition for writ of habeas corpus (28:2254) filed by Gregory Donnelly. (Johnson, Jay) (Entered: 02/15/2005)
03/04/2005	● <u>6</u>	MOTION for Extension of Time to 3/25/05 to File Response/Reply as to <u>1</u> Petition for writ of habeas corpus (28:2254) by Bernard Brady.(Johnson, Jay) (Entered: 03/08/2005)
03/09/2005	● <u>7</u>	Opposition re <u>6</u> MOTION for Extension of Time to 3/25/05 to File Response/Reply as to <u>1</u> Petition for writ of habeas corpus (28:2254) filed by Gregory Donnelly. (Johnson, Jay) (Entered: 03/15/2005)
03/21/2005	●	Judge Rya W. Zobel : endorsedORDER entered granting <u>4</u> Motion for Extension of Time to Answer nunc pro tunc 2/3/05 (Urso, Lisa) (Entered: 03/22/2005)
03/22/2005	●	Judge Rya W. Zobel : Electronic ORDER entered granting <u>6</u> Motion for Extension of Time to File Response/Reply re <u>6</u> MOTION for Extension of Time to 3/25/05 to File Response/Reply as to <u>1</u> Petition for writ of habeas corpus (28:2254) Responses due by 3/25/2005 (Johnson, Jay) (Entered: 03/22/2005)
03/28/2005	● <u>8</u>	MOTION for Extension of Time to 4/15/05 to File Answer re <u>1</u> Petition for writ of habeas corpus (28:2254) by Bernard Brady.(Johnson, Jay) (Entered: 03/29/2005)
03/30/2005	● <u>9</u>	Opposition re <u>8</u> MOTION for Extension of Time to 4/15/05 to File Answer re <u>1</u> Petition for writ of habeas corpus (28:2254) filed by Gregory Donnelly. (Johnson, Jay) (Entered: 03/30/2005)
04/01/2005	●	Judge Rya W. Zobel : endorsedORDER entered granting <u>8</u> Motion for Extension of Time to Answer to 4/15/05. (Urso, Lisa) (Entered: 04/04/2005)
04/15/2005	● <u>10</u>	MOTION to Dismiss <i>Petition</i> by Bernard Brady.(Ravitz, Randall) (Entered: 04/15/2005)
04/15/2005	● <u>11</u>	MEMORANDUM in Support re <u>10</u> MOTION to Dismiss <i>Petition</i> filed by Bernard Brady. (Ravitz, Randall) (Entered: 04/15/2005)
04/15/2005	● <u>12</u>	APPENDIX/EXHIBIT <i>Notice of Filing with Clerk's Office</i> by Bernard Brady. (Ravitz, Randall) (Entered: 04/15/2005)

04/22/2005	● <u>13</u>	MOTION for Extension of Time to File Response/Reply as to <u>10</u> MOTION to Dismiss <i>Petition</i> by Gregory Donnelly.(Johnson, Jay) (Entered: 04/26/2005)
05/02/2005	●	Judge Rya W. Zobel : electronicORDER entered granting <u>13</u> Motion for Extension of Time to File Response/Reply re <u>10</u> MOTION to Dismiss <i>Petition</i> Responses due by 5/16/2005 (Urso, Lisa) (Entered: 05/02/2005)
05/16/2005	● <u>14</u>	Opposition re <u>10</u> MOTION to Dismiss <i>Petition</i> filed by Gregory Donnelly. (Johnson, Jay) (Entered: 05/17/2005)
06/20/2005	● <u>15</u>	Letter/request (non-motion) from Gregg Donnelly requesting docket. (Johnson, Jay) (Entered: 06/21/2005)
06/21/2005	●	DOCKET SHEET sent to Gregory Donnelly. (Johnson, Jay) (Entered: 06/21/2005)
07/08/2005	● <u>16</u>	Letter/request (non-motion) from Gregory Donnelly regarding 2254 petition. (exhibits unscanned because of size) (Johnson, Jay) (Entered: 07/11/2005)
07/14/2005	● <u>17</u>	Judge Rya W. Zobel : Memorandum of Decision ORDER entered. MEMORANDUM of Decision; The Commonwealth shall file this supplementary brief by Aug. 17, 2005. petitioner within 2 weeks file a responsive brief that identifies any corrections.(Urso, Lisa) (Entered: 07/19/2005)
08/17/2005	● <u>18</u>	MOTION for Extension of Time to August 26, 2005 to File <i>Supplementary Brief in Support of Motion to Dismiss</i> by Bernard Brady.(Ravitz, Randall) (Entered: 08/17/2005)
08/18/2005	●	Judge Rya W. Zobel : electronicORDER entered granting <u>18</u> Motion for Extension of Time to File. Brief due 8/26/05; petitioners due 9/9/05. (Urso, Lisa) (Entered: 08/18/2005)
08/24/2005	● <u>21</u>	Letter/request (non-motion) from Gregory Donnelly regarding service of motion. (Johnson, Jay) (Entered: 08/30/2005)
08/26/2005	● <u>19</u>	Supplemental MEMORANDUM in Support re <u>10</u> MOTION to Dismiss <i>Petition</i> filed by Bernard Brady. (Ravitz, Randall) Additional attachment(s) added on 8/31/2005 (Johnson, Jay). (Entered: 08/26/2005)
08/26/2005	● <u>20</u>	APPENDIX/EXHIBIT re <u>19</u> Memorandum in Support of Motion - <i>Notice of Filing with Clerk's Office</i> by Bernard Brady. (Ravitz, Randall) (Entered: 08/26/2005)
08/31/2005	● <u>22</u>	Letter/request (non-motion) from Gregory Donnelly regarding service of motion to extend. (Johnson, Jay) (Entered: 09/01/2005)
09/09/2005	● <u>23</u>	MOTION for Extension of Time to respond to defendants supplementary brief by Gregory Donnelly.(Johnson, Jay) (Entered: 09/13/2005)

09/26/2005	● <u>24</u>	MOTION for Extension of Time to 10/7/05 to Reply to Respondents Supplementary Brief by Gregory Donnelly.(Johnson, Jay) (Entered: 09/27/2005)
10/04/2005	●	Judge Rya W. Zobel : ElectronicORDER entered granting <u>23</u> Motion for Extension of Time, granting <u>24</u> Motion for Extension of Time. Brief 10/7/05. (Urso, Lisa) (Entered: 10/04/2005)
10/07/2005	● <u>25</u>	Response by Gregory Donnelly to <u>19</u> Supplemental Memorandum in Support of Motion to dismiss. (Johnson, Jay) (Entered: 10/11/2005)
11/16/2005	● <u>26</u>	Letter/request (non-motion) from Gregory Donnelly requesting copie's. (Johnson, Jay) (Entered: 11/17/2005)
11/17/2005	●	DOCKET SHEET sent to Gregory Donnelly. (Johnson, Jay) (Entered: 11/17/2005)
04/03/2006	● <u>27</u>	Letter/request (non-motion) from Gregory Donnelly requesting docket sheet. (Johnson, Jay) (Entered: 04/04/2006)
04/04/2006	●	DOCKET SHEET sent to Gregory Donnelly. (Johnson, Jay) (Entered: 04/04/2006)
04/17/2006	● <u>28</u>	NOTICE of Change of Address by Gregory Donnelly (Sonnenberg, Elizabeth) (Entered: 04/18/2006)
06/19/2006	● <u>29</u>	NOTICE of Change of Address by Gregory Donnelly (Johnson, Jay) (Entered: 06/20/2006)
08/08/2006	● <u>30</u>	Letter/request (non-motion) from Gregory Donnelly requesting copies. (Johnson, Jay) (Entered: 08/09/2006)

Gregory M. Donnelly
Old Colony Correctional Center
One Administration Road
Bridgewater, MA 02324

December 20, 2004

Anthony Anastas, Clerk
United States District Court
for Massachusetts
Room 2300
1 Courthouse Way
Boston, MA 02210

Re: Gregory M. Donnelly v. Bernard Brady,
U.S.D.C. Civ. No. _____

Mr. Anastas:

Please find enclosed for filing in the above-entitled civil action the following material:

1. Civil Cover Sheet;
2. Category Sheet;
3. Application for a Writ of Habeas Corpus
-- 28 U.S.C. § 2254
4. Petitioner's Memorandum in Support, etc.,
with attachments; and,
5. Petition for Bail.

Please further note that I have enclosed an original and two copies of the above-referenced materials to facilitate the filing and service of same on the respondent and his counsel.

I have also enclosed a check in the amount of five (\$5.00) dollars to pay the filing fee in this action, payable to the clerk.

Please docket same.

Thank you.

Very truly yours,

Gregory M. Donnelly

Encl's

cc: file

ATTACHMENT "2"